

**PROCEEDINGS OF THE COCHISE COUNTY BOARD OF SUPERVISORS
REGULAR MEETING HELD ON
Tuesday, August 12, 2014**

A regular board meeting of the Cochise County Board of Supervisors was held on Tuesday, August 12, 2014 10:00 a.m. in the Board of Supervisors' Hearing Room, 1415 Melody Lane, Building G, Bisbee, Arizona.

Present: Ann English, Vice-Chairman; Richard R. Searle, Member

Absent: Patrick G. Call, Chairman

Staff Michael J. Ortega, County Administrator; Jim Vlahovich, Deputy County Administrator;

Present: Britt W. Hanson, Chief Civil Deputy County Attorney; Arlethe G. Rios, Clerk of the Board

Vice-Chairman English called the meeting to order at 10:00 a.m.

ANY ITEM ON THIS AGENDA IS OPEN FOR DISCUSSION AND POSSIBLE ACTION

PLEDGE OF ALLEGIANCE

THE ORDER OR DELETION OF ANY ITEM ON THIS AGENDA IS SUBJECT TO MODIFICATION AT THE MEETING

CONSENT

Board of Supervisors

1. Approve the Minutes of the regular meeting of the Board of Supervisors of July 22, 2014.
2. Approve a Letter to United States Fish and Wildlife requesting a public hearing and comment extension in regard to FWS-R2-ES-2013-0056 Draft EIS (DEIS) for the proposed revision to the nonessential experimental population of the Mexican Wolf (*canis lupus bailey*).
3. Appoint Mr. John Millican from District 2 and Mr. Fred Davis from District 3 to the Public Lands Advisory Committee (PLAC) for a two-year term beginning July 1, 2014 and through June 30, 2016.

County Attorney

4. Approve the proposed settlement in property tax appeal case Patrice M. Miscione, Shelby J. Nicholson v. Cochise County, ST2014-000377 (Assessor Parcel No. 10509002C), now pending in Arizona Tax Court, a division of the Superior Court of and for Maricopa County.

County Sheriff

5. Approve a Grant Agreement between the United States Department of Justice and the Cochise County's Sheriff's Office providing \$34,068 for public safety equipment.

Finance

6. Approve demands and budget amendments for operating transfers.

Workforce Development

7. Approve Amendment #1 to Title IB Adult, Youth, and Dislocated Worker PY13/FY14 contract DE14-052279 between Cochise County and the Arizona Department of Economic Security for the WIA Service Delivery Area from April 1, 2013 to June 30, 2016.

Supervisor Searle moved to approve items 1 - 7 on the Consent Agenda. Vice-Chairman English seconded the motion and it was approved 2-0-1 (Call absent).

PUBLIC HEARINGS

Board of Supervisors

8. Approve a new liquor license application for a series #10 (beer/wine store) liquor license submitted by Mr. Suresh Kumar Thathi for Quick Pic Market located at 62 N. Oak Drive, Benson 85602.

Ms. Arlethe Rios, Clerk of the Board presented this item. Ms. Rios said the Sheriff's Office did not have a recommendation and the Planning and Zoning Department have recommended approval. The Environmental Health Division noted that the establishment meets all the requirements set forth by the Arizona Food Code; the Treasurer's Office has noted that all property taxes are current. The applicant has paid the \$100 processing fee and the Board staff recommended approval.

Vice-Chairman English opened the public hearing. No one chose to speak and Vice-Chairman English closed the public hearing.

Supervisor Searle moved to approve a new liquor license application for a series #10 (beer/wine store) liquor license submitted by Mr. Suresh Kumar Thathi for Quick Pic Market located at 62 N. Oak Drive, Benson 85602. Vice-Chairman English seconded the motion.

Chairman Call called for the vote and it was approved 2-0-1 (Call absent).

Community Development

9. Adopt Resolution 14-25 to amend certain Cochise County zoning district boundaries from RU-4 (Rural; one dwelling per four-acres) to SR-22 (Single Family Residential; one dwelling per 22,000-square feet), and approve a Master Development Plan (MDP), pursuant to the request of Mr. Douglas Carr.

Mr. Peter Gardner, Planner 1, presented this item using a PowerPoint presentation. Mr. Gardner gave the background information, explained the reason for the request and ensured the Board that the applicant's main purpose for the request was to be in compliance.

Supervisor Searle asked if the property had access to water and sewer.

Mr. Gardner confirmed access to both water and sewer. He noted that there had been concerned neighbors when the applicant was considering a manufactured home, but they were fine with a site built home. He stated that the Planning and Zoning Commission had approved this application 5-0 and that staff recommended approval.

Vice-Chairman English thanked staff for assisting this applicant with this compliance issue.

Vice-Chairman English opened the public hearing.

Mr. Douglas Carr, applicant, said that the reason for the application was to be in compliance with County rules.

No one else chose to speak and Vice-Chairman English closed the public hearing.

Mr. Hanson noted that the motion should be changed to adopt a zoning ordinance, not a resolution.

Supervisor Searle amended the motion to adopt Zoning Ordinance 14-08 to amend certain Cochise County zoning district boundaries from RU-4 (Rural; one dwelling per four-acres) to SR-22 (Single Family Residential; one dwelling per 22,000-square feet), and approve a Master Development Plan (MDP), pursuant to the request of Mr. Douglas Carr.

Vice-Chairman English seconded the motion.

Vice-Chairman English called for the vote and it was approved 2-0-1 (Call absent).

10. Adopt Resolution 14-26 to establish approximately 10 miles of Gleeson Road, as described therein, as a Declared County Highway.

Mr. Terry Couchenour, Right-of-Way Agent, presented this item using a PowerPoint presentation. Mr. Couchenour gave the background and said that the request is simple going from primitive road to county maintained road.

Vice-Chairman English opened the public hearing.

No one chose to speak and Vice-Chairman English closed the public hearing.

Supervisor Searle moved to adopt Resolution 14-26 to establish approximately 10 miles of Gleeson Road, as described therein, as a Declared County Highway. Vice-Chairman English seconded the motion.

Vice-Chairman English called for the vote and it was approved 2-0-1 (Call absent).

ACTION

Community Development

Item 12 was heard before Item 11 to continue the discussion on Gleeson Road.

11. Approve a request from Palominas Fire District, a Special District, for a waiver of permit fees totaling \$317.45 for the construction of a 312 square foot carport with an enclosed area for storage.

Supervisor Searle moved to approve a request from Palominas Fire District, a Special District, for a waiver of permit fees totaling \$317.45 for the construction of a 312 square foot

carport with an enclosed area for storage. Vice-Chairman English seconded the motion.

Ms. Dora Flores, Zoning Administrator, presented this item. Ms. Flores stated that the request for the waiver was made to the Board since special district waivers do not fall under the planning director's authority.

Supervisor Searle asked what the total cost of the improvement was.

Ms. Flores said it was an estimated \$3,000.

Vice-Chairman English stated that since other waivers had been approved more and more organizations were requesting waivers and that staff would have to reassess the process for bringing forward waivers since the County uses those fees for the expenses associated with approving permits.

Vice-Chairman English called for vote and it was approved 2-0-1 (Call absent).

12. Adopt Resolution 14-27 to establish a 15 ton weight restriction on Gleeson Road, as described therein.

Supervisor Searle moved to adopt Resolution 14-27 to establish a 15 ton weight restriction on Gleeson Road, as described therein. Vice-Chairman English seconded the motion.

Mr. Terry Couchenour, Right-Of-Way Agent, presented this item using a PowerPoint presentation. Mr. Couchenour stated that the main reason for establishing a weight limit was to diminish the damage on the road. He showed the Board pictures of the current damage and stated that without a weight limit the road would be severely damaged.

The Board agreed that weight limits are necessary for damage prevention.

Vice-Chairman English called for the vote and it was approved 2-0-1 (Call absent).

County Treasurer

13. Approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No's. 2014-0403 to 2014-0425 and 2014-0427 to 2014-0429 pursuant to A.R.S. 42-19118.

Supervisor Searle moved to approve the recommendation of the County Treasurer for the abatement of property taxes and interest on personal property and the removal of personal property tax liens on Treasurer's Certificate of Clearance No's. 2014-0403 to 2014-0425 and 2014-0427 to 2014-0429 pursuant to A.R.S. 42-19118. Vice-Chairman English seconded the motion.

Ms. Maria Pitzlin, Deputy County Treasurer, gave the background information and stated that the abatement was for property that was damaged or abandoned and to clean up the Treasurer's Office records. She noted that the property owners had been notified and the Sheriff's office had had no luck locating them.

Supervisor Searle asked for the total value of the abatement.

Ms. Pitzlin stated that it was \$13,125.22 and added that some abatements go back to 1998.

Vice-Chairman English noted that it was staff's responsibility to clean up records and agreed with the abatement.

Vice-Chairman English called for vote and it was approved 2-0-1 (Call absent).

CALL TO THE PUBLIC

Vice-Chairman English opened the call to the public.

Mr. Jack Cook addressed the Board on matters of personal concern.

No one else chose to speak and Vice-Chairman English closed the call to the public.

This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda.

REPORT BY MICHAEL J. ORTEGA, COUNTY ADMINISTRATOR -- RECENT AND PENDING COUNTY MATTERS

Mr. Ortega stated that the county managers will be meeting later this week to discuss the legislative agenda, but noted that the formal presentation would occur at the County Supervisors Association (CSA) Summit in early October. He added that the tax rates and levies would be approved on Monday.

SUMMARY OF CURRENT EVENTS

Report by District 1 Supervisor, Patrick Call

Chairman Call was absent as he had a meeting with Senator Flake to discuss local issues.

Report by District 2 Supervisor, Ann English

Vice-Chairman English deferred her report.

Report by District 3 Supervisor, Richard Searle

Supervisor Searle said he attended a meeting earlier in the week with Mary Darling and a stake holders group regarding the reintroduction of the Mexican Wolf.

7.

Chairman Call adjourned the meeting at 10:35 a.m.

APPROVED:

Patrick G. Call, Chairman

ATTEST:

Arlethe G. Rios, Clerk of the Board

